

July 19, 2023

VIA ECF

The Honorable John P. Cronan, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl St., Room 1320  
New York, NY 10007

Re: *Roofers Local No. 149 Pension Fund v. Amgen Inc., et. al.*,  
Case No. 1:23-cv-02138-JPC (S.D.N.Y.)

Dear Judge Cronan:

The undersigned are counsel to the respective parties hereto in the above-captioned action. Pursuant to the Court's July 7, 2023 Order (the "July 7 Order"), we write jointly to propose a schedule for Lead Plaintiff to amend the complaint and for Defendants to answer or otherwise respond to the amended complaint. *See* ECF No. 30. Additionally, pursuant to ¶6(A) of Your Honor's Individual Rules and Practices in Civil Cases, "[u]nless otherwise ordered by the Court, a party seeking to file a motion must submit a pre-motion letter . . . ." Since the July 7 Order directed the parties to submit a proposed schedule on Defendants' anticipated motion to dismiss, and in an effort to conserve judicial resources, the parties respectfully request that in the event Defendants file a motion to dismiss, they may do so without first submitting a pre-motion letter.

Furthermore, the parties have conferred and in light of several holidays, respectfully request that the Court enter the following schedule:

1. Lead Plaintiff shall file an amended complaint on or before August 31, 2023.
2. Defendants shall answer or file a motion to dismiss the amended complaint on or before November 6, 2023.
3. If Defendants file a motion to dismiss the amended complaint, Lead Plaintiff shall file its opposition on or before January 12, 2024.
4. Defendants' reply papers, if any, shall be due on or before February 26, 2024.

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We appreciate the Court's attention to this matter.

Respectfully submitted,

*/s/ Evan J. Kaufman*

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Samuel H. Rudman  
Evan J. Kaufman  
William A. Massa  
ROBBINS GELLER RUDMAN  
& DOWD LLP  
58 South Service Road, Suite 200  
Melville, NY 11747  
Telephone: 631/367-7100  
631/367-1173 (fax)  
srudman@rgrdlaw.com  
ekaufman@rgrdlaw.com  
wmassa@rgrdlaw.com

*Counsel for Lead Plaintiffs*

*/s/ Jay B. Kasner*

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Jay B. Kasner  
Peter B. Morrison  
Tansy Woan  
SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM LLP AND AFFILIATES  
One Manhattan West  
New York, NY 10001-8602  
Telephone: 212/735-3000  
212/735-2000 (fax)  
jkasner@skadden.com  
peter.morrison@skadden.com  
tansy.woan@skadden.com

*Counsel for Defendants*

The request is granted. Lead Plaintiff is granted leave to file an Amended Complaint by August 31, 2023. Defendants shall answer or move to dismiss the Amended Complaint by November 6, 2023; they may file a motion to dismiss, if they choose, without first filing a pre-motion letter. In the event that Defendants move to dismiss the Amended Complaint, Lead Plaintiff shall file its opposition by January 12, 2024, and Defendants shall file their reply by February 26, 2024.

SO ORDERED.  
Date: July 20, 2023  
New York, New York



JOHN P. CRONAN  
United States District Judge